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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/686,914	10/12/2000	Daisuke Sato	107258	5369

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OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER	
NGUYEN, HAI V	
ART UNIT	**PAPER NUMBER**
2142	

DATE MAILED: 10/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/686,914	SATO ET AL.	
	Examiner	Art Unit	
	Hai V. Nguyen	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 July 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4 and 6-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4 and 6-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *26 July 2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the communication received on 26 July 2005.

2. Claim 21 is new claim.

3. Claims 1-4, 6-21 are presented for examination.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 6-21 are rejected under 35 U.S.C. 102(e) as being anticipated by **Wood** et al. U.S. Patent Application Publication # **2002/0057893 A1**.

6. As to claim 1, Wood, Digital Recording And Playback, teaches substantially the invention as claimed, including a data transfer control device (Fig. 1, remote control 22) for transferring data among a plurality of nodes are connected to a bus, the data transfer control device comprising:

a control circuit which starts transfer processing when processing unit issues a start command *(Fig. 4, RECORD button 408)* for data transfer *(data downloading)*, and resumes transfer processing when the processing unit issues a resume command for data transfer *(Wood, an Inst replay 416 I Fig. 4 rewinds the currently playing video*

stream by a predetermined amount and then resumes playing, page 8, paragraph [0082]).

a transfer execution circuit which executes processing for dividing transfer data into a series of packets then transferring the divided series of packets continuously, when the processing unit issues the start command for data transfer *(the OMFS is configured to divide the received digital video information into one or more packets, each packet having the same number of bytes as a sector on a disk in the disk drive, page 1, paragraph [0005]; the digital VCR 10 continuously spools the current show's video and audio streams to a rewind buffer stored on the hard disk drive 142, page 12, paragraph [0118]).*

a cancellation circuit (*the digital VCR 10)* which cancels an execution of one of start command and the resume command, when the processing unit issues one of the start command and the resume command, respectively, during a period of a reset that clears node topology information *(the personal channel) (Wood, Fig. 4, a CANCEL button 458 is used to remove menus from the screen and to cancel choices made by the user, paragraph [0082]; pressing the RECORD button 408 a third time cancels scheduled recording of the show and removes the double circle from the show's name in the show list display, paragraphs [0094],[0097], [0111])* and

a circuit which informs the processing unit that command execution has been canceled by the reset *(the user can tell the digital VCR 10 to cancel the show selected by the user, paragraph [0108}, [0111]).*

7. As to claim 2, Wood discloses, an interrupt controller which issues an interrupt with respect to the processing unit when an execution of the start command or the resume command for data transfer is canceled by the occurrence of the reset *(the digital VCR 10 can provide the user with the option of canceling the recording of the channel that is being recorded, paragraphs [0094], [0097], [0111], [0139])* and factor storage register which informs the processing unit of a fact of the interrupt *(paragraphs [0094],[0097], [0111])*.

8. As to claim 3, Wood discloses, wherein the cancellation circuit cancels the start command or the resume command by using a signal *(by comparing channel guide information for a show that is scheduled to be recorded onto a personal channel with channel guide information for shows that are already recorded on a personal channel)* that goes active during the reset period to mask a signal that goes active when the processing means issues the start command or the resume command *(paragraphs [0094],[0097], [0111])*

9. As to claim 4, Wood discloses, a pause control circuit which pauses transfer processing at a previously determined location when the processing unit issues a data transfer pause command or when a transfer error occurs *(paragraphs [0079],[0131], [010133])*

10. As to claim 6, Wood discloses, wherein the reset is a bus reset as defined by the IEEE 1394 standard *(paragraph [0049])*.

11. As to claim 7, Wood discloses a data transfer control device for transferring data among a plurality of nodes that are connected to a bus, the data transfer control device comprising:

a transfer execution circuit which executes processing for dividing transfer data into a series of packets then transferring the divided series of packets continuously, when processing means issues a start command for data transfer *(the OMFS is configured to divide the received digital video information into one or more packets, each packet having the same number of bytes as a sector on a disk in the disk drive, page 1, paragraph [0005]; the digital VCR 10 continuously spools the current show's video and audio streams to a rewind buffer stored on the hard disk drive 142, page 12, paragraph [0118])*; and

a pause control circuit which pauses a transfer processing after a step execution of the transfer processing, when the processing unit issues a resume command and a pause command for data transfer together *(when the user presses the PAUSE button 410 during the delayed interface state, the delayed video being displayed is pause. If the user presses the PLAY button 404 during the delayed interface state while the delayed video is paused, the delayed video will resume playing at the point at which the video was paused, paragraphs [0130]-[00139])*.

12. As to claim 8, Wood discloses, wherein the pause control circuit executes the step execution and the pause of the transfer processing based on a resume signal that goes active when the resume command is issued and a delay pause signal that goes active after a delay of a given period after the resume signal goes active when the

resume command and the pause command are issued together *(when the user presses the PAUSE button 410 during the delayed interface state, the delayed video being displayed is paused. If the user presses the PLAY button 404 during the delayed interface state while the delayed video is paused, the delayed video will resume playing at the point at which the video was paused, paragraphs [0059], [0077]-[0082], [0130]-[00139]).*

13. Claims 9, 10 are similar limitation of claim 6; therefore, it is rejected under the same rationale as in claim 6.

14. As to claim 11, Wood discloses, a device for performing given processing on data that has been received from another node *(another channel)* via the data transfer control device and the bus; and a device for outputting or storing data that has been subjected to the processing *(the digital VCR 10, the selected show or episode).*

15. Claims 12-15 are similar limitations of claim 11; therefore, they are rejected under the same rationale as in claim 11.

16. As to claim 16, Wood discloses, a device for performing given processing on data that has been received from another node via the data transfer control device and the bus; and a device for fetching data to be subjected to the processing *((the digital VCR 10, the selected show or episode)*

17. Claims 17-20 are similar limitations of claim 16; therefore, they are rejected under the same rationale as in claim 16.

18. As to claim 21, Wood discloses, wherein the cancellation circuit receives a reset period signal that becomes active during the period of the reset and prevents a

command signal corresponding to the issued start command or the issued resume command from transferring to the control circuit when the reset period signal becomes active *(Wood, Figs. 2, 4; pressing the RECORD button 408 a third time cancels scheduled recording of the show and removes the double circle from the show's name in the show list display, (paragraphs [0094],[0097], [0111])).*

19. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

Response to Arguments

20. Applicant's arguments filed on 26 July 2005 have been fully considered but they are not persuasive.

21. In the remark, Applicant argued in substance that:

Point (A), the prior art does not disclose that, "a cancellation circuit which cancels an execution of one of the start command and the resume command when the processing unit issues one of the start command and the resume command, respectively, during a period of a reset that clears node topology information." in claim 1.

As to point (A), Wood discloses in Fig. 2,*"that the digital VCR 10 includes circuitry 100 in that the components of the MPEG decoder subsystem respond to external commands to control decoder 156, such as VCR-style commands to stop (to cancel), start, pause, forward, reverse, and jump to random positions in the video stream (Wood, Fig. 2, pages 7, 8; paragraphs [0078]-[0082]); pressing the RECORD*

button 408 a third time cancels scheduled recording of the show and removes the double circle from the show's name in the show list display, (paragraphs [0094],[0097], [0111])".

Point (B), the prior art does not disclose that, "a pause control circuit which pauses a transfer processing after a step execution of the transfer processing, when the processing unit issues a resume command and a pause command for data transfer together" in claim 7.

As to point (B), Wood discloses in Figs. 2, 4, *"that the digital VCR 10 includes circuitry 100 in that the components of the MPEG decoder subsystem respond to external commands to control decoder 156, such as VCR-style commands to stop (to cancel), start, pause, forward, reverse, and jump to random positions in the video stream (Wood, Fig. 2, pages 7, 8; paragraphs [0078]-[0082]); when the user presses the PAUSE button 410 during the delayed interface state, the delayed video being displayed is pause. If the user presses the PLAY button 404 during the delayed interface state while the delayed video is paused, the delayed video will resume playing at the point at which the video was paused, (paragraphs [0130]-[00139])".*

Point (C), the prior art does not disclose, "pause the transfer processing after a step execution of the transfer processing is completed." in claim 7.

As to point (C), in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies *(i.e., pause the transfer processing after a step execution of the transfer processing is completed)* are not recited in the rejected claim(s). Although the claims

are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hai V. Nguyen
Examiner
Art Unit 2142

Patent Examiner
THOMAS VU